

United States District Court

For the Northern District of California

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6 RAHINAH IBRAHIM, an individual,

7 No. C 06-00545 WHA

8 Plaintiff,

9 v.

10 DEPARTMENT OF HOMELAND SECURITY,
11 MICHAEL CHERTOFF, in his official capacity as
12 the Secretary of the Department of Homeland
13 Security, TOM RIDGE, in his official capacity as the
14 former Secretary of the Department of Homeland
15 Security, TRANSPORTATION SECURITY
16 ADMINISTRATION, KIP HAWLEY, in his official
17 capacity as Administrator of the Transportation
18 Security Administration, DAVID M. STONE, in his
19 official capacity as Acting Administrator of the
20 Transportation Security Administration, TERRORIST
21 SCREENING CENTER, DONNA A. BUCELLA, in
22 her official capacity as Director of the Terrorist
23 Screening Center, NORM MINETA, in his official
24 capacity as Secretary of Transportation, FEDERAL
25 AVIATION ADMINISTRATION, MARION C.
26 BLKEY, in her official capacity as Administrator of
27 the Federal Aviation Administration, FEDERAL
BUREAU OF INVESTIGATION, ROBERT
MUELLER, in his official capacity as Director of the
Federal Bureau of Investigation, SAN FRANCISCO
AIRPORT, CITY OF SAN FRANCISCO, COUNTY
OF SAN FRANCISCO, COUNTY OF SAN
MATEO, SAN FRANCISCO POLICE
DEPARTMENT, UAL CORPORATION, UNITED
AIRLINES; DAVID NEVINS, an individual,
RICHARD PATE, an individual, JOHN
BONDANELLA, an individual, JOHN
CUNNINGHAM, an individual, ELIZABETH
MARON, an individual, and DOES 1 THROUGH
100, inclusive,

**ORDER REGARDING
DEFENDANTS' MOTIONS
TO DISMISS ORIGINAL
COMPLAINT**

28 Defendants.

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1 This order finds that the proposed amendment to plaintiff's original complaint renders it
2 procedurally awkward for the Court to rule at this time on defendants' motions to dismiss aimed
3 at that original complaint. Plaintiff's amended complaint may substantially alter the
4 jurisdictional landscape in this case. All of the currently pending motions to dismiss the
5 original complaint are deemed denied, without prejudice to defendants to renew any and all of
6 these arguments with respect to the amended complaint. Plaintiff's motion for leave to file her
7 amended complain is granted. Plaintiff had the benefit of defendants' moving papers in framing
8 her amended complaint. It will, therefore, be more efficient to consider all of the issues at one
9 time in light of the amended complaint.

10 The following schedule governs the renewed motions to dismiss the amended complaint:

11. Each set of moving defendants (*i.e.*, the federal defendants, the United
12 defendants, and defendant Bondanella) shall file and serve a supplemental brief
13 of no more than 10 pages by no later than July 27, 2006 at noon, addressing the
14 purported grounds for dismissing plaintiff's amended complaint.
15. Plaintiff shall file and serve *one* supplemental brief of no more than 15 pages by
16 no later than August 3, 2006 at noon, responding to defendants' arguments.
17. Unless the Court so orders, the matter will be deemed under submission
18 following receipt of plaintiff's responsive brief. No further oral argument will be
19 heard unless otherwise noticed. The Court will consider both the previous
20 briefing on the initial motions to dismiss as well as the supplemental briefs in
21 ruling on the motions.

23 || IT IS SO ORDERED.

25 | Dated: July 20, 2006

Wm. Abner

**WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE**